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**MCDERMOTT, WILL & EMERY**

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September 3, 1997

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**HAND-DELIVERED**

Federal Communications Commission  
Office of the Secretary  
1919 M Street, N.W.  
Room 222  
Washington, D.C 20554

**Re: Notice of Written Ex Parte Presentation;  
CC Docket No. 96-98**

Dear Mr. Caton:

This is to notify the Office of the Secretary that Christine Gill an attorney with the law firm of McDermott, Will & Emery, on behalf of Commonwealth Edison Company, Duke Power Company, The Southern Company, Northern States Power Company, American Electric Power Service Corporation and Florida Power & Light Company (collectively "the Electric Utilities") made a written ex parte presentation to Meredith Jones of the Cable Services Bureau, a copy of which is attached.

If you have any questions regarding the enclosed, please call Tom Navin at (202) 778-8093.

Very truly yours,

Christine C. Gill

Enclosures

No. of Copies rec'd 022  
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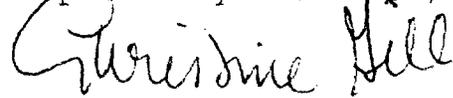


Ms. Meredith J. Jones  
September 3, 1997  
Page 2

subject to rent control for leasing sites to wireless providers, while other landlords would be entitled to market rates. This result would not only be unfair, but also an example of unnecessary regulation in a market that is functioning efficiently.

Thank you for your consideration of this letter and the attached article.

Respectfully submitted,



Christine M. Gill

cc: Anita L. Wallgren  
David Siddall  
Elizabeth Beaty  
JoAnn Lucanik  
Claire Blue  
Nancy Stevenson  
Suzanne Toller  
Marsha MacBride  
Office of the Secretary (2 copies)

# EcoSite operates tower leasing program for Wal-Mart stores

By George Lurie

Companies searching for a site to construct telecommunications towers may not need to look any further than their local Wal-Mart.

Wal-Mart, the world's largest retailer—with sales of \$105 billion in 1996—is taking an active role in the buildout of infrastructure for the wireless industry through an agreement to lease tower construction sites and tower space at more than 3,000 Wal-Mart properties nationwide as well as in Canada, Argentina, Brazil, Mexico, Puerto Rico, China and Indonesia.

Bentonville, Ark.-based Wal-Mart has been a longtime advocate of telecommunications and uses wireless technology as part of its sophisticated satellite invento-

ry control and state-of-the-art communications systems.

Wal-Mart's tower leasing program was put together by EcoSite Corp., a Little Rock, Ark.-based private telecommunications real estate company formed in 1996. EcoSite focuses solely on brokering leasing agreements between Wal-Mart and telecommunications companies.

"We tried to identify who would be the perfect client for what we intended to do," said EcoSite's Ramsay Ball, one of three principals who started the company. "Wal-Mart was very responsive. They had a real interest in doing this."

The Wal-Mart/EcoSite partnership began in May of this year. Another site location company, UniSite Inc. of

Richardson, Texas, has a similar arrangement with the U.S. Postal Service that gives UniSite exclusive

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rights to construct towers for wireless service providers at about 35,000 post office locations across the country. The agreement between EcoSite and Wal-Mart differs in that the arrangement calls for the telecommunications companies to construct their own towers, with EcoSite acting as leasing agent and consultant.

EcoSite offers telecom companies two types of lease agreements: a ground lease,

in which a company leases land from Wal-Mart and constructs a tower; and a tower lease, allowing a company to lease space on an existing tower.

Lease terms range from five to 30 years and every lease has a one-year cancellation clause that can be exercised at any time by the telco.

Rent is fixed for five years, with rates described as "very competitive." The minimum lease rate is \$500 per month.

"The typical pad upon which companies are constructing towers is about 5,000 square feet," said Ball, "with monopole and self-supporting towers ranging in height from 80 to 200 feet."

Wal-Mart and EcoSite have developed a "fast-track" leasing process in which EcoSite provides Wal-Mart store coordinates by city or state, and site plans for stores that are potential locations for carriers. Telecom companies can make

site proposals detailing potential tower location and equipment and once a proposal is accepted, EcoSite will prepare lease documents for approval and execution. A typical turnaround from lease proposal to lease execution is two to four weeks, EcoSite noted.

In most cases, towers are constructed for colocation, with companies that have built towers receiving revenue from colocation agreements.

Although Ramsay would not say exactly how many companies have signed up with Wal-Mart "because of competitive concerns," he added, "EcoSite has already entered into master lease agreements with some of the largest wireless companies in the country."

"We are getting a tremendous amount of input from carriers on this," Ramsay said. "Our phones have been ringing off the hook. I think we've talked to people in every state except Hawaii."